

2217-539

9/16/2010

1/10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

James Kuntsman
PBI/Gordon Corporation
P.O. Box 014090
Kansas City, Missouri 64101

SEP 16 2010

Subject: EPA Reg. 2217-539 / Gordon's BL 8000 Lawn Weed Killer Notification

Dear Mr. Kuntsman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 7-28-10 for the product EPA Reg. 2217-539 / Gordon's BL 8000 Lawn Weed Killer. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov or Kathryn Montague at 703-305-1243 or Montague.Kathryn@epa.gov.

Sincerely,

Kathryn Montague
Team Leader
Herbicide Branch, Team 23
Registration Division (7504P)



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2217-539	2. EPA Product Manager Kathryn V. Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gordon's BL 8000 Lawn Weed Killer	PM# Product Manager—Team 23	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification Per Pesticide Registration Notice (PRN) 98-10:

We ask to add a single marketing claim, "*Kills Over 200 Weeds - [see complete weed listing inside]*". This marketing claim is included as highlighted text in the Appendix, page 7 of the enclosed draft labeling.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or Confidential Statement of Formula of this product. I understand that it is a violation of 18 U.S.C Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA.

e-mail to jkunstman@pbigordon.com FAX: 816-421-2731

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per Container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pint to 1 gallon		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name James L. Kunstman, Ph.D.	Title Director of Regulatory Services	Telephone No. (Include Area Code) 816-260-6292	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title Director of Regulatory Services		
4. Typed Name James L. Kunstman, Ph.D.	5. Date July 28, 2010		

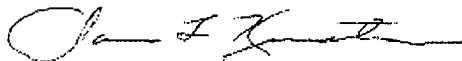
Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
2217-539	7/28/2010	002217-00539.20100728. notif-proposed-highlighted 002217-00539.20100728. notif-proposed-clean

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.



Signature

07/28/2010

Date

James L. Kunstman, Ph.D.

Name (typed)

Director, Regulatory Services

Title

GORDON'S BL 8000 LAWN WEED KILLER

EPA Reg. No. 2217-539

ACTIVE INGREDIENT:

2,4-D, dimethylamine salt	7.59%
Mecoprop-p, dimethylamine salt	1.83%
Dicamba, dimethylamine salt	0.84%
OTHER INGREDIENTS:	89.74%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 0.54 lb 2,4-dichlorophenoxyacetic acid equivalent per gallon or 6.30%
- 0.13 lb (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 1.51%
- 0.06 lb 3,6-dichloro-o-anisic acid equivalent per gallon or 0.70%

NOTIFICATION
SEP 16 2010

Isomer Specific by AOAC Method.

Trimec® is a registered trademark of PBI/GORDON CORPORATION.

- 2,4-D, dimethylamine salt (CAS Registry No. 2008-39-1)
- Mecoprop-p, dimethylamine salt (CAS Registry No. 66423-09-4)
- Dicamba, dimethylamine salt (CAS Registry No. 2300-66-5)

Note: If the design, format, or small size of the container labels makes it impractical to present the entire ingredient statement on the front panel, then add a referral statement and present this substatement on the back panel: "See back panel for substatement of ingredient statement".

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if absorbed through skin. Harmful if swallowed. Avoid contact with skin, eyes, or clothing. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear long-sleeved shirt, long pants, socks, shoes and gloves. Remove and wash contaminated clothing before reuse.

First Aid	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.



If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or on clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER: Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-xxx-xxxx for emergency medical treatment information.	

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

[Environmental Hazards (alternate per PRN 2008-1)

This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.]

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

PRECAUTIONS AND RESTRICTIONS:

- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application. Do not allow people or pets to enter the treated area until sprays have dried.
- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.
- Use only lawn-type sprayers. Do not spray on carpetgrass, dichondra, nor on lawns or turf where desirable clovers are present. Do not exceed specified dosages for any area.
- Schedule the herbicide applications when air temperatures are 60° to 90°F with good soil moisture. Avoid applications during the spring transition of the warm season grasses and during periods of

extremely high temperatures. The tolerance of warm season grasses decreases at air temperatures greater than 90°F and when turfgrass is drought stressed.

- The turf tolerance of centipedegrass and St. Augustinegrass can range from sensitive to tolerant. Do not apply this product to 'Floritam' St. Augustinegrass in Florida.
- Do not apply as a fine mist because of potential for injury to desirable plants.
- Do not use this product on or near desirable plants, including contact of spray on exposed root systems or adventitious shoots within the drip line of desirable trees and shrubs, since injury may result.
- Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays, and oceans. Do not apply when windy. To prevent product run-off, do not over water the treated area(s) to the point of runoff or apply when raining or when rain is expected that day. Rinse sprayer over lawn area only.

WHERE TO USE:

Gordon's BL 8000 Lawn Weed Killer may be used on bahiagrass, bermudagrass, Kentucky bluegrass, fescue, perennial ryegrass, zoysiagrass, centipedegrass, and St. Augustinegrass lawns, vacant lots, playgrounds and other similar areas where broadleaf weeds are present. This product is especially effective on all hard-to-kill weeds such as poison ivy, poison oak, sheep sorrel and spurge. In addition, BL 8000 Lawn Weed Killer controls most other broadleaf weeds, including sensitive weeds such as chickweed, clover, dandelion, knotweed and plantain. A partial list is given on the side panel.

WHEN TO USE:

1. Spray during the growing season when weeds are actively growing.
2. On new lawns, wait until the grass has reached a height of 2 inches before making an overall spray treatment. However, a spot treatment may be made at any time with a small pressure sprayer. Wait 3 weeks before seeding or planting stolons, plugs, or sprigs.
3. Poor weed control may result if spray is applied during drought or just before rain.
4. For best results, mow before treating.
5. Do not water lawn within 24 hours after treatment.

HOW MUCH TO USE (Entire Lawn):

Hose End Sprayer:

Use a hose end sprayer designed for lawns. Pour specified amount of product (Column 1) in bottle and add water to indicated level (Column 2), and spray on area shown in Column 3. For example, to spray 2,500 square feet measure 10 fluid ounces (20 tablespoons) in jar, add water to the 10 gallon level, and mix. Turn on hose and spray as evenly as possible over 2,500 square feet.

Chart 1: Amounts of Gordon's BL 8000 Lawn Weed Killer for bahiagrass, bermudagrass, Kentucky bluegrass, fescues, perennial ryegrass, and zoysiagrass lawns applied with hose end sprayers.

Column 1 Amount of Lawn Weed Killer to Use		Column 2 Fill Bottle to	Column 3 Area to Treat
(Tablespoons)	(Fluid Ounces)	(Gallons)	(Square Feet)
10	5	5	1,250
20	10	10	2,500
30	15	15	3,750
40	20	20	5,000

Note: For the grasses in Chart 1, apply the entire contents of this container (32 fluid ounces) on 8,000 square feet of turf.

Chart 2: Amounts of Gordon's BL 8000 Lawn Weed Killer for centipedegrass and St. Augustinegrass lawns applied with hose end sprayers.

Column 1 Amount of Lawn Weed Killer to Use		Column 2 Fill Bottle to	Column 3 Area to Treat
(Tablespoons)	(Fluid Ounces)	(Gallons)	(Square Feet)
10	5	5	2,500
20	10	10	5,000
30	15	15	7,500
40	20	20	10,000

Note: For St. Augustinegrass and centipedegrass apply the entire contents of this container (32 fluid ounces) on 16,000 square feet of turf.

Pressure Sprayers:

Measure indicated amount of Gordon's BL 8000 Lawn Weed Killer, pour into tank, and dilute with water according to the following chart. Use a spray pattern that gives small [coarse] spray droplets without any fine mist, and cover the area indicated.

Chart 3. For bahiagrass, bermudagrass, Kentucky bluegrass, fescues, perennial ryegrass, and zoysiagrass lawns with pressure or tank type sprayers.

Amount of Lawn Weed Killer to Use		Amount of Water in Sprayer (Gallons)	Area To Treat (Square Feet)
(Tablespoons)	(Fluid Ounces)		
2	1	1	250
4	2	2	500
6	3	3	750

Chart 4: For centipedegrass and St. Augustinegrass lawns with pressure or tank type sprayers.

Amount of Lawn Weed Killer to Use		Amount of Water in Sprayer (Gallons)	Area To Treat (Square Feet)
(Tablespoons)	(Fluid Ounces)		
2	1	1	500
4	2	2	1,000
6	3	3	1,500

Limitations on broadcast applications to residential turfgrass:

The maximum application rate is 4.0 fl.oz. of product per 1,000 sq.ft. per application (0.74 lb 2,4-D ae, 0.18 lb MCP-p ae and 0.08 lb dicamba ae per acre per application). The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 8.0 fl.oz. of product per 1,000 sq.ft. (1.47 lb 2,4-D ae, 0.35 lb MCP-p ae and 0.16 lb dicamba ae per acre).

Spot Spraying [Treatment]:

To spray small areas or individual weeds, do not use a hose end sprayer. Refer to Chart 3 or Chart 4 for mixing instructions. Spray as needed and be certain to wet the weeds.

Limitations on spot treatments to residential turfgrass:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 4.0 fl.oz. per 1,000 sq.ft. per application (0.18 lb MCP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 30 days between applications.

BROADLEAF WEEDS			
Annual yellow sweetclover	Cockle	Mugwort	Speedwell
Aster	Cocklebur	Musk thistle	Spiny amaranth
Austrian fieldcress	Common mullein	Mustard	Spiny cocklebur

BROADLEAF WEEDS			
Bedstraw	Creeping Jenny (Creeping Charlie)	Narrowleaf plantain	Spotted catsear
Beggarticks	Cudweed	Narrowleaf vetch	Spotted spurge
Betony, Florida	Curly dock	Nettle	Spurweed
Bindweed, field	Daisy, English	Orange hawkweed	Stinging nettle
Bird vetch	Daisy fleabane	Oriental cocklebur	Strawberry, India mock
Bitter wintercress	Daisy, oxeye	Oxalis	Tall nettle
Bittercress, hairy	Dandelion	Parsley-piert	Tall vervain
Bitterweed	Dichondra	Parsnip	Tansy ragwort
Black-eyed Susan	Dogbane	Pearlwort	Tansy mustard
Black medic	Dogfennel	Pennycress	Tanweed
Black mustard	Dollarweed	Peppergrass	Thistle
Blackseed plantain	Elderberry	Pepperweed	Trailing crownvetch
Blessed thistle	False dandelion	Pigweed	Tumble mustard
Bloodflower milkweed	Falseflax	Pineywoods bedstraw	Tumble pigweed
Blue lettuce	False sunflower	Plains coreopsis (tickseed)	Velvetleaf
Blue vervain	Fiddleneck	Plantain	Venice mallow
Bracted plantain	Florida pusley	Poison ivy	Virginia buttonweed
Brassbuttons	Frenchweed	Poison oak	Virginia creeper
Bristly oxtongue	Galinsoga	Pokeweed	Virginia pepperweed
Broadleaf dock	Goathead	Poorjoe	Wavyleaf bullthistle
Broadleaf plantain	Goldenrod	Prairie sunflower	Western clematis
Broomweed	Ground ivy	Prickly lettuce	Western salsify
Buckhorn	Gumweed	Prickly sida	White mustard
Buckhorn plantain	Hairy fleabane	Prostrate knotweed	Wild aster
Bulbous buttercup	Hawkweed	Prostrate pigweed	Wild buckwheat
Bull thistle	Healall	Prostrate spurge	Wild carrot
Bullnettle	Heartleaf drymary	Prostrate vervain	Wild four-o'clock
Burclover	Heathaster	Puncturevine	Wild garlic
Burdock	Hedge bindweed	Purslane, common	Wild geranium
Burning nettle	Hedge mustard	Ragweed	Wild lettuce
Burweed	Hemp	Red sorrel	Wild marigold
Buttercup	Henbit	Redroot pigweed	Wild mustard
Buttonweed	Hoary cress	Redstem filaree	Wild onion
Canada thistle	Hoary plantain	Rough cinquefoil	Wild parsnip
Carolina geranium	Hoary vervain	Rough fleabane	Wild radish
Carpetweed	Horsenettle	Russian pigweed	Wild rape
Catchweed bedstraw	Jimsonweed	Russian thistle	Wild strawberry
Catnip	Knawel	Scarlet pimpernel	Wild sweet potato
Catsear	Knotweed	Scotch thistle	Wild vetch
Chickweed, common	Kochia	Sheep sorrel	Woodsorrel
Chickweed, mouseear	Lambsquarters	Shepherdspurse	Woolly croton
Chicory	Lespedeza	Slender plantain	Woolly morningglory
Cinquefoil	Mallow	Smallflower galinsoga	Woolly plantain
Clover, crimson	Matchweed	Smooth dock	Wormseed
Clover, hop	Mexicanweed	Smooth pigweed	Yarrow
Clover, red	Milk vetch	Sorrel	Yellow rocket
Clover, strawberry	Morningglory	Sowthistle	Yellowflower pepperweed
Clover, sweet	Mouseear hawkweed	Spanishneedles	and other broadleaf weeds
Clover, white		Spiny sowthistle	

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE: Keep from freezing. Store in original container in a locked storage area inaccessible to children and pets.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- One quart covers up to 8,000 square feet.
- Keep from freezing.
- Controls dandelion, chickweed, knotweed, henbit, plantain, clover, spurge and many other broadleaf lawn weeds including those shown on the side panel.
- Kills even the tough weeds...roots and all!
- Controls even the tough weeds...roots and all!
- Treats northern and southern grasses.
- Kills the root.
- One quart treats up to 16,000 square feet. (Southern grasses)
- Water based.
- One quart covers up to _____ square feet.
- Won't harm lawn grass when used according to label directions.
- Kills [Controls] 200+ broadleaf weeds.
- Starts working overnight
- Won't harm lawn grass (when used as directed)
- Controls (Number) weeds!
- Mixes with Water – Concentrate

- Treated areas for this container vary from 16,000 square feet (Northern Grasses) to 32,000 square feet (Southern Grasses)
- CONTROLS
 - SENSITIVE WEEDS: Bedstraw, Black Medic, Buckhorn, Chickweed, Clover, Dandelion, Knotweed, Lambsquarters, Peppergrass, Plantain, Purslane, Ragweed, Sheperdspurse, and Wild Lettuce.
 - HARD-TO-KILL WEEDS: Chicory, Creeping Charlie, Creeping Jenny, Dock, Ground Ivy, Heal-All, Lespedeza, Mallow, Morningglory, Oxalis, Pigweed, Poison Ivy, Poison Oak, Sheep Sorrel, Speedwell, Spurge, Wild Carrot, Wild Onion, Yarrow and many other broadleaf weeds.
- For 16 fl.oz. retail container: Lawn areas for this container vary from 4,000 sq.ft.(Northern grasses) to 8,000 sq.ft.(Southern grasses).
- For 32 fl.oz. retail container: Lawn areas for this container vary from 8,000 sq.ft.(Northern grasses) to 16,000 sq.ft.(Southern grasses).
- For One Gallon retail container: Lawn areas for this container vary from 32,000 sq.ft.(Northern grasses) to 64,000 sq.ft.(Southern grasses).
- For outdoor use
- Controls dandelion, spurge, chickweed and many other hard-to control weeds.
- Won't harm lawns when used as directed.
- Contains Trimec® Herbicide
- Kills Over 200 Weeds -- [see complete weed listing inside]

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00539.20100728.notif-proposed-clean.doc
2. **Reason for Issue:** ad claim